

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSE LUIS CANTERO,

Plaintiff,

-against-

MID-HUDSON PSYCHIATRIC FORENSIC
CENTER; ADOBI UNKNOWN, SHTA (TEAM
ASSISTANT); JOSEPH UNKNOWN, SHTA
(TEAM ASSISTANT),

Defendants.

19-CV-11167 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff, appearing *pro se*, submitted the complaint without the filing fees or a completed and signed request to proceed *in forma pauperis* (IFP), that is, without prepayment of fees.

By order dated December 10, 2019, the Court directed Plaintiff to either pay the \$400.00 in fees, or complete, sign, and submit an IFP application, within thirty days of the date of that order. (ECF No. 2.) On January 8, 2020, Plaintiff filed an IFP application. (ECF No. 3.)

Because Plaintiff's IFP application was insufficient to establish that he is unable to pay the filing fees, by order dated March 24, 2020, the Court directed Plaintiff, within thirty days, to either pay the \$400.00 in fees or submit an amended IFP application. (ECF No. 4.) That order specified that failure to comply would result in dismissal of the complaint.

Plaintiff has not filed an amended IFP application or paid the filing fees. Accordingly, the complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf.*

Coppedge v. United States, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: June 1, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", written over a horizontal line.

COLLEEN McMAHON
Chief United States District Judge